## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

DAVID RENDER, :

Plaintiff(s), :

: Case Number: 1:07cv489

vs. :

Chief Judge Susan J. Dlott

FOREST PARK POLICE DEPARTMENT,

et. al.,

:

Defendant(s). :

## **ORDER**

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge, Timothy S. Hogan. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on March 2, 2009 a Report and Recommendation (Doc. 52). Subsequently, the plaintiff filed objections to such Report and Recommendation (Doc. 68) and defendants filed a response to the objections (Doc. 69).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendations should be adopted.

Accordingly, defendants' Motion for Summary Judgment (Doc. 24) is **GRANTED**; plaintiff's complaint is **DISMISSED** and this case is hereby **TERMINATED** on the Court's docket.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Order will not be taken in good faith. *See McGore v. Wrigglesworth*, 114 F.3d 601 (6<sup>th</sup> Cir. 1997). IT IS SO ORDERED.

s/Susan J. Dlott

Chief Judge Susan J. Dlott United States District Court

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